

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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| CBG Biotech, Ltd., <i>et al.</i> | : | CASE NO. 1:07-CV-00246 |
| | : | |
| Plaintiffs, | : | Judge Ann Aldrich |
| | : | |
| v. | : | |
| | : | <u>AGREED INTERIM ORDER</u> |
| United HealthCare Insurance Company of | : | |
| Ohio | : | |
| | : | |
| Defendant. | : | |

As a compromised resolution of Plaintiffs' Motion for Temporary Restraining Order, the parties mutually agree, and the Court accordingly orders as follows:

1) By entering into this Interim Agreed Order, Defendant United HealthCare Insurance Company of Ohio ("United HealthCare") does not admit liability for, nor the validity of, the allegations contained in Plaintiffs' Complaint, and United Healthcare reserves its rights to assert any and all appropriate defenses or counterclaims.

2) By entering into this Interim Agreed Order, Plaintiffs do not admit liability for, nor the validity of, United HealthCare's defenses or positions stated to date on this matter or which may be included in subsequent responsive pleadings or counterclaims, and Plaintiffs reserve their rights to assert any and all appropriate defenses to those potential.

3) The parties' agreement to and entry of this Interim Agreed Order shall not be considered in determining whether any party is a prevailing party for the ultimate resolution of this case.

4) Until 12:01 a.m. on March 1, 2007, United HealthCare shall not discontinue the group health insurance policy that currently covers the Plaintiffs.

5) Plaintiffs shall pay to United HealthCare \$8,744.81 on or before February 9, 2007, which constitutes payment toward Plaintiff's group health insurance policy for February 2007.

6) Plaintiffs' Motion for Temporary Restraining Order is hereby deemed moot and therefore withdrawn.

7) Plaintiffs shall have through and including February 16, 2007 in which to file a motion for preliminary injunction. Defendant shall have through and including February 23, 2007 in which to file a memorandum in opposition to that motion.

8) In the event Plaintiffs file a Motion for Preliminary Injunction, a full evidentiary hearing on said Motion will be held at 10:00 a.m. on February 27, 2007.

9) The parties have agreed to expedite discovery and each of the parties agree to submit their written discovery to the others on or before Friday, February 2, 2007 and to answer each other's written discovery on or before February 12, 2007 .

10) This Order shall remain in effect until 12:01 a.m. on March 1, 2007.

s/Ann Aldrich (1-31-07)
Judge Ann Aldrich

/s/Jeffrey R. Teeters
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Trial Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2007, copies of the foregoing Agreed Interim Order was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Evelyn P. Schonberg
Evelyn P. Schonberg